

COPY

AMY E. RINALDO
KOHN & ASSOCIATES
30500 NORTHWESTERN HWY., SUITE 410
FARMINGTON HILLS, MICHIGAN 48334

COPY MAILED

OCT 25 2002

OFFICE OF PETITIONS

In re Application of
Robert Sackstein
Application No. 09/619,290
Filed: July 19, 2000
For: SULFATION-INDEPENDENT L-
SELECTIN OR E-SELECTIN LIGAND
(HCELL) AND THERAPEUTICS THEREOF

:
:
: DECISION GRANTING PETITION
: UNDER 37 CFR 1.47(b)
:
:

This is in response to the request for reconsideration of petition under 37 CFR 1.47(b), filed September 30, 2002, (Certificate of Mailing date: September 24, 2002). A request for a three (3) month extension of time was submitted on October 23, 2002.

The petition is granted.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of Amy E. Rinaldo establishes that the inventor was mailed a copy of the application papers as filed, but has refused the request that he sign the declaration. In addition, petitioner has shown that the University of South Florida has a proprietary interest in the above-identified application with the copy of the "Revenue Allocation Agreement" showing that the inventor had an obligation to assign any patent rights to the University of South Florida. The petition fee has been paid. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status and the Office of Initial Patent Examination is authorized to:

- (1) accept this application under Rule 1.47(b);

(2) process the application with the inventor being Robert Sackstein and with the indication that the application was filed by the University of South Florida as the party in interest under 35 U.S.C. § 118, inventor authority code 08;; using the Declaration filed on April 13, 2001; and

(3) mail a filing receipt with a filing date of July 19, 2000.

As provided in Rule 1.47(b), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

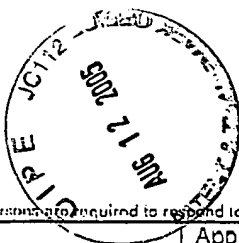
After this decision is mailed, the above-identified application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this communication should be directed to the undersigned at (703) 306-9200



Edward J. Tannouse
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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PTO/SB/92 (09-03)

Approved for use through 11/30/2005. OMD 0051-0039
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS

Application Number	09/619,290
Filing Date	July 15, 2000
First Named Inventor	Robert Sackslein
Art Unit	1644
Examiner Name	Phillip Gambel
Attorney Docket Number	USF-203TCDZ1

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

23557

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with
Customer Number:

23557

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		Zip	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name	Rod Casto, Ph.D.		
Signature	<i>Rod Casto</i>		
Date	September 21, 2004	Telephone	(813) 974-2466

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.34. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/93 (03-04)

Approved for use through 07/31/2005. OMD 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Robert SacksteinApplication No./Patent No.: 09/619,200 Filed/Issue Date: July 19, 2000Entitled: Sulfation-Independent L-Selection or E-Selection Ligand (HCELL) and Therapeutics Thereof

University of South Florida

a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 7401, Frame 0507, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

September 21, 2004

Date

(213) 974-2466

Telephone number

Typed or printed name

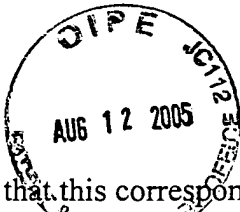
Rod Casto, Ph.D.

Signature

Assoc. Vice President for Research
& Executive Director, USF Research
Foundation

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent
and Trademark Office on 5 MAY 2005

Jeff Lloyd, Patent Attorney

PETITION AND FEE FOR EXTENSION
OF TIME UNDER 37 CFR §1.136(a)
Examining Group 1644
Patent Application
Docket No. USF-203TCDZ3
Serial No. 11/032,256

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Phillip Gambel
Art Unit : 1644
Applicant : Robert Sackstein
Serial No. : 11/032,256
Filed : January 10, 2005
Conf. No. : 1134
For : Sulfation-Independent L-Selection or E-Selection Ligand (HCELL)
and Therapeutics Thereof

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

PETITION UNDER 37 CFR §1.17(f)

Sir:

The above-identified application was express mailed to the United States Patent Office on January 10, 2005. A copy of the Express Mail Label with appropriate postmark is attached to this Petition. A Notice of Incomplete Nonprovisional Application was mailed on April 8, 2005 indicating that the subject application was filed without at least one claim and an oath or declaration.

Applicant respectfully asserts that the application was filed with 128 pages, including 27 claims, as is properly indicated on the Return Postcard, a copy of which is attached hereto. Applicant also notes that Deposit Account No. 190065 was charged \$350.00 on January 31, 2005 for claims in excess of 20. Copies of application pages 122-127, which contain claims 1-27, accompany this Petition.

Applicant further asserts that a copy of the Revocation and Power of Attorney including a statement under 37 CFR 3.73, along with a copy of the Decision Granting Petition under 37 CFR 1.47(b) (as filed and accepted in parent application No. 09/619,290), was filed with the subject application and these are also indicated on the Return Postcard.

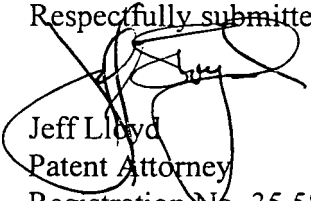
Applicant acknowledges the informalities regarding the drawings indicated on the Notice of Incomplete Nonprovisional Application and asserts an intention to attend to these informalities within the two-month time period allowed for compliance.

Finally, Applicant respectfully asserts that all of the items listed on the Notice of Incomplete Nonprovisional Application as being required for a January 10, 2005 filing date were filed with the Patent Office on January 10, 2005, as indicated above and on the attached Return Postcard. Accordingly, Applicant respectfully petitions the Commissioner to acknowledge and make of record the January 10, 2005 filing date in the subject application.

Applicant hereby authorizes a charge in the amount of \$400.00 (37 CFR §1.17(f)) to Deposit Account No. 19-0065. However, Applicant respectfully requests a refund of this amount upon granting of this petition.

Any additional fees as required by 37 CFR §§1.16 or 1.17 should be charged to Deposit Account No. 19-0065. Two additional copies of this Petition are enclosed.

Respectfully submitted,



Jeff Lloyd
Patent Attorney

Registration No. 35,589

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
PO Box 142950
Gainesville, FL 32614-2950

JL/amh

Attachments: copy of Notice of Incomplete Nonprovisional Application; copy of Express Mail Label; copy of Return Postcard; copy of Revocation of Power of Attorney and New Power of Attorney including Statement Under 37 CFR 3.73(b); copy of Decision Granting Petition Under 37 CFR 1.47(b); copy of pages 122-127 (Claims 1-27)

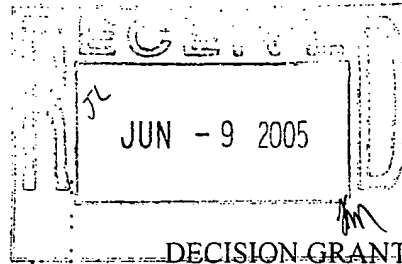


UNITED STATES PATENT AND TRADEMARK OFFICE

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A PROFESSIONAL ASSOCIATION
PO BOX 142950
GAINESVILLE, FL 32614-2950

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JUN 06 2005

OFFICE OF PETITIONS

DECISION GRANTING PETITION

In re Application of
Robert Sackstein
Application No. 11/032,256
Filed: January 10, 2005
Attorney Docket No. USF-203TCDZ3

This is a decision on the petition filed May 5, 2005, requesting that the above-identified application be accorded a filing date of January 10, 2005.

The petition is **granted**.

On January 10, 2005, the above-identified application was filed. On April 8, 2005, the Office of Initial Patent Examination mailed a "Notice of Incomplete Nonprovisional Application" (the "Notice"), stating that the application had not been accorded a filing date because the specification did not contain at least one claim. The Notice also required the filing of an oath or declaration and replacement drawings. The Notice allowed a non-extendable two-month period for reply beginning from the mailing date of the Notice.

In response, on May 5, 2005, applicants filed the present petition and a copy of the claims filed with the original application papers, and a postcard receipt date-stamped by the Office acknowledging having received 27 claims on January 10, 2005, among other items.

Upon review of the record, the claims were not located among the originally filed application papers. The evidence is convincing, however that 27 claims were present on January 10, 2005. Therefore, the application, including the 27 claims, was complete on filing and entitled a filing date of January 10, 2005.

The petition fee of \$400.00 will be refunded deposit account 19-0065, in due course.

The application file will be directed to the Office of Initial Patent Examination for further processing with a filing date of January 10, 2005, using the 27 claims filed on that date. The Office of Initial Patent Examination will issue a corrected filing receipt and will further address the other requirements of the "Notice of Incomplete Nonprovisional Application" that remain outstanding.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

January 10, 2005



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COMMUNICATION
Patent Application
Docket No. USF-203TCDZ3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert Sackstein
Docket No. : USF-203TCDZ3
For : Sulfation-Independent L-Selection or E-Selection Ligand (HCELL)
and Therapeutics Thereof

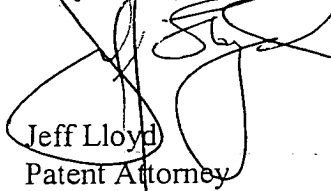
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

COMMUNICATION

Sir:

Attached hereto please find a copy of the Decision Granting Petition Under 37 CFR 1.47(b) issued in the parent application, U.S. Serial No. 09/619,290. The Petition Under 37 CFR 1.47(b) was submitted in the parent application to show that the inventor unreasonably refused to sign a Declaration and Power of Attorney document after being presented with application papers. A copy of the Revocation of Power of Attorney and New Power of Attorney filed in the parent application is also attached. The undersigned respectfully requests these papers be made of record in the application identified above.

Respectfully submitted,



Jeff Lloyd
Patent Attorney

Registration No. 35,589
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: PO Box 142950
Gainesville, FL 32614-2950

JL/amh

Attachments: Decision Granting Petition Under 37 CFR 1.47(b)
Revocation of Power of Attorney and New Power of Attorney including
Statement Under 37 CFR 3.73(b)